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United States Environmental Protection Agency
Office of Civil Enforcement, Special Litigation and Projects Division
INVESTIGATIVE ACTIVITY REPORT

Case Name:
SOUTH DAYTON DUMP AND LANDFILL
SITE ID: B525NS00


Reporting Office:
CHICAGO

Subject of Report:
WITNESS INTERVIEWS
INTERVIEW DATES: May 27- July 5, 2005

Copies to: Related Files:
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Reporting Official and Date:

Approving Official and Date:

 7/11/2005
Reginald Arkell, CI

INTRODUCTION

On April 27, 2005, a request was made by the EPA Office of Regional Counsel, Region 5, to the EPA Office of Civil Enforcement, Special Litigation and Projects Division, for investigative assistance in the matter of the South Dayton Dump and Landfill (SDD) in Dayton, Ohio (the Site). The Site operated as a waste disposal facility from about 1941 to 1996 and was owned by Alcine Grillot during much of this time. Landfill operations resulted in soil and groundwater contamination from vinyl chloride, trichloroethylene, and other pollutants which pose a threat to the underlying drinking water aquifer and the adjacent Great Miami River. Information request responses from potential responsible parties (PRP's) and information developed in another Superfund site investigation identified transporters and generators that may have hauled or had wastes transported to the SDD. A number of witnesses were interviewed. This is the second report of witnesses interviewed by CI Arkell. The information below was obtained.

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DETAILS

Tracy Buchanan, fka Graef, Ohio EPA, Dayton, OH, (937) 285-6045;
Interviewed by telephone on May 27, 2005; Date of Report: May 27, 2005

- ▶ Tracy Buchanan stated that she was employed by the Montgomery County Health Department from about June 1984 through January 2003. She is now a Supervisor in the Division of Solid and Infectious Waste at the Ohio EPA. She confirmed that her maiden name was Graef and that she had been a solid waste specialist for the Health Department. Her duties consisted of inspecting open and closed landfills.
- ▶ Ms. Buchanan estimated that she inspected the SDD Site operated by Alcine Grillo roughly 12 times during the early 1990's. The number of inspections was due to the fact that Dayton had a problem with fly-by-night pallet recycling companies. These firms would often go out of business and leave huge quantities of garbage at landfills and other locations. She said there was a problem with open dumping, i.e., garbage was deposited there by unknown individuals as Alcine Grillo was not monitoring the area and did not have a locked gate. She said Alcine Grillo was leasing the Site property to a pallet recycling company during the time of her inspections.
- ▶ She described Alcine Grillo as a crusty old man who was similar to many longtime small landfill operators who just did not take well to evolving solid waste regulations. She recalled that, during the time of her inspections, most land filling activities at the SDD Site had been completed. However, they may still have been accepting hard fill consisting of broken asphalt and concrete. The SDD may also have been accepting foundry sand. She could not be sure but Peerless Transportation may have been one of the companies that brought foundry sand to the Site in the early 1990's since they were the largest hauler of this material.
- ▶ When told that IWD drivers knew another area separate from the SDD Site as the South Dayton Dump. She said that she was not surprised as it was common practice by waste management personnel to refer to different landfills by the same name over time when one dump would close and another would open.

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- ▶ She could not provide any information about haulers or generators of waste or the other type of materials that had been brought to the Site. Pictures taken at the Site would have been taken by a Health Department employee who inspected the SDD prior to her involvement. She identified Montgomery County Health Department employees Tom Hut (937-225-5909) and Mark Case, Director (937-225-4429), as individuals who may have had involvement at the Site prior to her. A former Health Department employee who is now retired and may be able to provide information regarding wastes hauled to the SDD Site is John Bindeman who lives in Oakwood, Ohio (John H. Bindeman, 5672 Barbanna Lane, Dayton/Trotwood, OH 45415, 937-275-5873.).

Mark Case, Montgomery County Health Department, Riebold Building, 117 S. Main Street, Dayton, OH, (937) 225-4429; Interviewed by telephone on June 22, 2005; Date of Report: June 22, 2005

- ▶ Mark Case stated that he has been with the Montgomery County Health Department since 1973. He began working in the Division of Solid Waste in about 1980. He confirmed familiarity with the SDD operated by Alcine Grillot. He believed that by the time of his involvement the SDD was a hardfill/C&D disposal site. He could not provide any information concerning generators and transporters of wastes there. He was unable to identify any potential hazardous waste generators and transporters after checking a small file their office has on the SDD.

Exemption 6 - Personal Privacy [REDACTED] Dayton, OH 45459, Exemption 6 - Pers
[REDACTED]; Interviewed by telephone on July 5, 2005; Date of Report:
July 11, 2005

- ▶ Exemption 6 - Personal Privacy [REDACTED] stated that he found CI Arkell's business card on his front door and was calling to see what it was about. The card had been left there on May 18, 2005. Exemption 6 - Personal Privacy [REDACTED] stated that he is 54 years old and that his father, Alcine Grillot, had operated the South Dayton dump from about the mid 1950's to the early 1980's. Exemption 6 - Personal Privacy [REDACTED] uncle, Kenneth Grillot, had also worked at the site property. Both his father and uncle are deceased. There was only one other individual, a friend of Alcine Grillot, that worked at the dump but he is also deceased.

- ▶ Exemption 6 - Personal Privacy [REDACTED] stated that he spent time "messaging around" at

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the SDD periodically over the years. He estimated that this was about an average of once a week for up to several hours a day while he was growing up from the mid 1950's to the early 1970's. The frequency decreased in his adult years. He was unaware of any other individuals that would have spent significant time there. He had a sister who was about ten years younger than him, however, she did not visit the site property because she was a girl and it was a very dirty place. His sister now lives in the Chicago area.

Exemption 6 - Personal Privacy said there is a slight possibility that there may be some records still existing regarding operations at the SDD. He said he would contact CI Arkell if he located them.

Exemption 6 - Personal Privacy provided general recollections from what he had observed concerning the transportation of wastes and fill material to the site property. He cannot identify any particular area of the site where certain wastes may have been put. The information he gave below is the extent of what he can remember.

He said the site was primarily for hard fill as general household refuse was not allowed to be disposed of there. He said that Dayton Power and Light (DP&L) typically would haul up to 15-20 truckloads per day of dirt, fly ash, and other unknown fill material. He believes some of these materials were either removed from the ground during excavation or other ground surface work by DP&L. He thought that the fly ash was generated from DP&L's steam plant. The hauling took place for about a five to six year period during the 1950's and/or 1960's. He was unaware of any wastes or fill hauled to property owned by DP&L adjacent to the site property.

According to Exemption 6 - Personal Privacy, Delco Moraine transported 10-15 loads a day on dump trucks and/or 30-40 yard containers of scrap lumber and 55-gallon steel drums. The duration of this activity was over many years and, possibly, up until the dump closed. He said that most of these drums were empty and uncovered. They would be recycled and resold by Alcine Grillot. Exemption 6 - Personal Privacy could not provide any information about the contents of any drums that may not have been empty. Delco Moraine had plants on Wisconsin Avenue and Needmore Street in Dayton.

Exemption 6 - Personal Privacy stated that Frigidaire had trucks that hauled

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mostly scrap lumber to the site property with much less frequency and duration than the aforementioned companies. He believes that Frigidaire hauled the material from a facility on Springboro Road. This is now a Chevrolet S-10 pickup truck manufacturing plant.

Exemption 6 - Personal Privacy said that Dayton Steel transported wood scrap, metal grindings, and other fill material in smaller stake-bed trucks to the SDD. About four to five truckloads were transported per day for many years. The fill primarily consisted of foundry sand and fly ash. He recalled that much of the materials were brought to the site in containers about 10' wide x 10' wide x 6' high. They were unloaded through the use of a swing crane. Dayton Steel was located about ½ mile straight north of the dump and the river.

John Bindeman, 5672 Barbanna Lane, Dayton, OH 45415, Dayton, OH, (937) 275-5873; Interviewed at Mr. Bindeman's residence on June 29, 2005; Date of Report: July 11, 2005

- ▶ John Bindeman stated that he obtained a bachelors degree from the University of Michigan in sanitary science and a masters degree in environmental health from the same institution. After graduation, he was employed with the Ann Arbor and/or Washtenaw County Health Department as a sanitarian.
- ▶ Mr. Bindeman was employed with the Montgomery County Health Department (OH) beginning in 1967. He continued working with the Combined Health District of Montgomery County when Dayton merged their health department with the County. He was unsure when this took place. When he was first hired, he was a supervisor for environmental health covering the southern one-half of Montgomery County. He had about ten individuals working under him who inspected for environmental nuisances at landfills, demolition sites, restaurants, pools, trailer parks and private sewage disposal. This included making sure that solid waste was buried and covered, blowing paper was kept in check, and that simple plans of the site were maintained.
- ▶ When the two health departments merged, he began working as the head of business services. While he did not retain responsibility for sewage and water after the merger, he continued his oversight of landfills and the other aforementioned operations. His involvement with landfills

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lasted a good 20 years until about the mid to late 1980's. He then became a systems analyst where he created financial related annual reports for the health department. He then worked for a time as a facilities manager and had responsibilities for maintenance and repairs for 15 facilities. He also worked helping to automate the health department's computer system. Mr. Bindeman had oversight of the agency's motor pool in addition to automated inventory.

After reviewing several site maps, Mr. Bindeman said that the SDD had previously been a gravel pit. Even though he was a supervisor, he was a hands-on type of guy. He recalled inspecting the site property several dozen times over his career. He was often accompanied by a City of Dayton inspector with the last name of Dailey. Mr. Bindeman believes that household garbage was brought to the site by packer trucks up until some point. He recalled these wastes being burned near the front entrance of the landfill. Eventually, he filed an Americus Curiae brief stating that burning at the site was alright only if the wind was to the north. He said burning was no longer allowed there at some point after a wind shift from the site blew a lot of black smoke to the south. The site was subsequently restricted to hardfill such as demolition wastes, rubble, ground fill, and tires.

Mr. Bindeman recalled that the site property typically had tires and a few 55-gallon drums on top of the fill area in a particular section of the landfill. He could not say where exactly this was. Mr. Bindeman did not remember seeing any evidence of liquid wastes or a substantial number of 55-gallon steel drums at the site. The drums he did see had covers. He did not know anything about what may have been inside these drums. Some of them were used as burning barrels. Mr. Bindeman made sure that the tires were cut in half so they would be easier to bury and would not pop back up out of the ground.

John Bindeman reviewed maps provided by CI Arkell including a larger display of the site property with handwritten notes. Mr. Bindeman said "new air curtain distructor" on the larger map is his handwriting. He said this was a device that air pollution engineers with the health department had designed to be used in a lined trench for combustion of wastes with a blower. It was to help waste materials burn cleaner. They

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also created less ash and kept the smoke to a minimum. Several were built by the health department, however, they were not used for long. They were made of boiler plate metal that would warp with heat.

Mr. Bindeman said that Joe Moore was a longtime State of Ohio Health Department employee who later worked with the Ohio EPA and may have information about the SDD (A query in the State of Ohio employee directory did not locate him.). Mr. Bindeman could/would not provide the names of any other potential witnesses.

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